

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

15-CR-6064DGL

v.

TODD GLENN DEAN,

Defendant.

Defendant Todd Glenn Dean (“Dean”) was sentenced principally to a term of 216 months imprisonment on his guilty plea to violating 18 U.S.C. § 2422(b), coercion and enticement of a minor to engage in sexual activities. That Judgment was later affirmed by the Second Circuit in February 2017.

Dean had filed two prior motions for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). He has now filed a third motion (Dkt. #54). The Probation Office has filed a Memorandum (Dkt. #60) and the Government has filed a detailed Response (Dkt. #58) opposing Dean’s latest motion for compassionate release.

Dean has the burden of demonstrating that he exhausted administrative remedies and also showing extraordinary and compelling reasons that justify a reduction of the significant sentence imposed.

Dean does complain of some medical issues but they basically amount to his disagreement over the nature of the medical care, especially the dental care, provided to him. In my judgment,

Dean has failed to demonstrate extraordinary and compelling reasons to justify a reduction in the sentence.

I am also required to review all the sentencing factors under 18 U.S.C. § 3553(a) and I believe a careful review of those factors demonstrates that reduction of this sentence is not warranted or justified. The Government outlines Dean's prior record of sexual misconduct in addition to the crime here to which he pleaded guilty. Dean has demonstrated in the past that he is indeed a danger to the community because of his inappropriate sexual activity and this review of this Section 3553(a) factors by itself warrants denial of Dean's present motion.

CONCLUSION

Todd Glenn Dean's motion for compassionate release (Dkt. #54) is DENIED; Dean's motion to appoint counsel (Dkt. #55) is DENIED, as is his motion to appeal to the Second Circuit (Dkt. #56).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
May 2, 2024.